

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

COMMANDER EMILY SHILLING, *et al.*,
Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States, *et al.*,
Defendants.

Case No. 2:25-cv-241 (BHS)

**SUPPLEMENTAL DECLARATION
OF EMILY SHILLING**

I, Emily Shilling, declare as follows:

1. I write this declaration to supplement the declaration I signed on February 12, 2025, and submitted in support of the Motion for Preliminary Injunction in this matter on February 19, 2025. *See* ECF No. 24.

2. I have served nineteen years and seven months, placing myself in the more than eighteen years but less than twenty years of total active duty in the United States Navy group for separation and retirement consideration. I maintain great pride in my service, country, and the founding principles for which I volunteered to serve. Serving in the U.S. Navy is core to who I am, its not just a career but a lifelong calling.

3. Prior to November 2024, my intent was to continue to serve with the expectation of promotion to Captain (O6) and subsequent major command tour. In December of 2024, in consultation with my command and trusted senior mentors and leaders I submitted retirement for 1 Feb 2026, with the intent of cancelling this request if service remained open to me. The rhetoric around and promises made against transgender individuals and our continued service made it clear my continued service was in jeopardy. Further escalation led to my resubmission of

1 request for retirement at twenty years of service, 1 September 2025. This was well within the
 2 typically requested 12 to 18 months lead time for retirement requests and presented a tight
 3 timeline to perform all duties required. I proceeded with preparing for life outside the service on
 4 these timelines while still maintaining hope I could cancel these retirement orders once
 5 permissive and open service was ensured. This timeline would also put me in terminal leave
 6 starting 1 July 2025 while meeting the requirements for typical twenty year retirement.

7 4. According to the Navy's "FAQ: Prioritizing Military Excellence and Readiness,"
 8 updated March 14, 2025, regarding NAVADMIN 055/25 (ECF No. 79-1), which pertains to the
 9 Navy's implementation of the Department of Defense ("DoD") February 26, 2025 guidance
 10 (ECF No. 58-7) and Executive Order 14183, "Sailors with over 18 years but less than 20 years of
 11 total Active-Duty service by the deadline are eligible for early retirement under Temporary Early
 12 Retirement Authority (TERA)."

13 5. The Navy's FAQ guidance further clarifies that the deadline to "request voluntary
 14 separation or retirement [is] no later than 2359Y (UTC-12:00), Friday, 28 March 2025" and that
 15 a service member who "does not request voluntary separation by March 28, 2025, ... will be
 16 subject to involuntary separation and no longer be eligible for voluntary separation benefits and
 17 may be required to pay back any bonus or incentive pays received where the required obligation
 18 has not been met." As written, Navy policy does not guarantee the extension of the offer of
 19 TERA for those involuntarily separated.

20 6. It is not my desire to separate or retire from the United States Navy at this time.

21 7. Aside from causing me to lose the career of military service I have dedicated my
 22 life to, involuntary separation from the Navy pursuant to Executive Order 14183 and its
 23 implementing guidance would have dire financial repercussions for me and my family, as not
 24 only would I lose my livelihood but would lose benefits and remuneration to which I would be
 25 entitled to under TERA according to the guidance. If I am truly required to separate prior to 1
 26 June 2025, which is one month prior to my previously planned terminal leave and just three
 27
 28

1 months prior to my twenty year mark, TERA is the only option that avoids dire consequences
2 over the matter of a few months.

3 8. Thus, because Executive Order 14183 and its implementing guidance remain in
4 effect, the impending deadline of March 28, 2025 is fast approaching. Therefore, I formally
5 submitted my request for early retirement under TERA pursuant to NAVADMIN 055/25 and
6 section 4.4(a)(8) of the DOD February 26, 2025 Guidance. *See* ECF Nos. 58-7 and 79-1.

7 9. I am opting for early retirement under TERA solely because not doing so would
8 result in my involuntary separation as well as the potential loss of benefits and discharge status
9 available through so-called “voluntary separation.” The loss of these benefits would result in
10 extensive additional harm to my family and me.

11 10. Under NAVADMIN 055/25, “[t]he latest date available for ... retirement under
12 this policy is no later than 1 June 2025.” Given my responsibilities and desire to continue to
13 serve my country as part of the U.S. Navy, I have requested the latest possible date of June 1,
14 2025 for my early retirement.

15 11. It is my hope and desire that a preliminary injunction in this case would toll such
16 separation date and that should the courts ultimately find in our favor that I am able to withdraw
17 the application for early retirement under TERA.

18 12. The only reason I am proceeding with my early retirement request is to preserve
19 my benefits under TERA. I feel that I have been forced and coerced into opting for so-called
20 “voluntary separation” under Executive Order 14183 and its related guidance. I do not wish to
21 retire or separate from the United States Navy currently.

22 I declare under the penalty of perjury that the foregoing is true and correct.

23
24
25 DATED: March 24, 2025

26
27
28 
Emily Shilling